

ROANOKE CITY COUNCIL-REGULAR SESSION

June 18, 2018

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, June 18, 2018, at 2:00 p.m., in the Council Chamber, Room 450, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor Sherman P. Lea, Sr., presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 40879-070317 adopted by the Council on Monday, July 3, 2017.

PRESENT: Council Members William D. Bestpitch, Michelle L. Dykstra (arrived late), Raphael E. Ferris, John A. Garland, Anita J. Price, David B. Trinkle and Mayor Sherman P. Lea, Sr.-7.

ABSENT: None-0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Robert S. Cowell, Jr., City Manager; Daniel J. Callaghan, City Attorney; and Stephanie M. Moon Reynolds, City Clerk.

The Invocation was delivered by The Reverend Barbara C. Thomas, Pastor, Spirit of Life Church International.

At this point, Council Member Dykstra entered the meeting (2:06 p.m.).

PRESENTATIONS AND ACKNOWLEDGEMENTS:

RECOGNITION OF JAMES TAYLOR: Mayor Lea recognized James H. Taylor upon his retirement as Courier for the City of Roanoke.

Following comments by the Council Members and the City Clerk, Mayor Lea presented Mr. Taylor with a Key to the City.

RECOGNITION OF RAPHAEL FERRIS: Council Member Bestpitch offered the following resolution paying tribute to the Honorable Raphael E. "Ray" Ferris as a Council Member:

(#41155-061818) A RESOLUTION paying tribute to the Honorable Raphael (Ray) E. Ferris, and expressing to him the appreciation of the City and its people for his exemplary public service.

(For full text of resolution, see Resolution Book No. 79, page 628.)

Council Member Bestpitch moved the adoption of Resolution No. 41155-061818. The motion was seconded by Council Member Dykstra.

Following comments by the Council, Resolution No. 41155-061818 was adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Garland, Price, Trinkle and Mayor Lea-6.

NAYS: None-0.

(Council Member Ferris abstained from voting.)

RECOGNITION OF DAVID TRINKLE: Council Member Ferris offered the following resolution paying tribute to the Honorable David B. Trinkle as a Council Member and former Vice-Mayor of the City of Roanoke.

(#41156-061818) A RESOLUTION paying tribute to the Honorable David B. Trinkle, and expressing to him the appreciation of the City and its people for his exemplary public service.

(For full text of resolution, see Resolution Book No. 79, page 629.)

Council Member Ferris moved the adoption of Resolution No. 41156-061818. The motion was seconded by Council Member Dykstra.

Following comments by the Council, Resolution No. 41156-061818 was adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, and Mayor Lea-6.

NAYS: None-0.

(Council Member Trinkle abstained from voting.)

ACKNOWLEDGEMENTS: Mayor Lea recognized Daun Hester, City Treasurer, City of Norfolk, Virginia, and former Democratic State Delegate, who was in attendance at the Council meeting.

HEARING OF CITIZENS UPON PUBLIC MATTERS:

CERTIFICATE OF APPRECIATION: Timothy Shepherd, Past Master; and Scott St. Clair, Current Master, The Grand Lodge of Masons of Virginia, presented The Community Builders Award to Council Member Trinkle, which had been issued by Pleasants Lodge Number 63.

LACK OF INVESTMENT: Robert Gravely, 3360 Hershberger Road, N. W., appeared before the Council and shared concern regarding the lack of investment in the black community.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda are considered to be routine by the Members of Council and will be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion is desired, the item would be removed from the Consent Agenda and considered separately. The Mayor called attention to a request from the Roanoke City Council Personnel Chair for City Council to convene in a Closed meeting to discuss the annual performances of the Council-appointed officers; and two additional requests from the City Manager for City Council to convene in a Closed meeting to discuss the disposition of a portion of City-owned property located at 502 19th Street, S. E., and 3137 Preston Avenue, N. W., respectively.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL: Minutes of the regular meeting of City Council held on Monday, May 21, 2018, was before the body.

(See Minutes on file in the City Clerk's Office.)

Council Member Trinkle moved that the reading of the minutes be dispensed with and approved as recorded. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

ANNUAL PERFORMANCES OF THE COUNCIL-APPOINTED OFFICERS: A written communication from Council Member David B. Trinkle, Chair, City Council Personnel Committee, requesting that Council convene in a Closed Meeting to discuss a personnel matter, being the annual performances of the Council-Appointed Officers, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended, was before the body.

(See communication on file in the City Clerk's Office.)

Council Member Trinkle moved that Council concur in the request as abovementioned. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

RESIGNATION OF JOSEPH L. COBB AS A MEMBER OF THE ROANOKE ARTS COMMISSION: A written communication from the City Clerk advising of the resignation of Joseph L. Cobb as a member of the Roanoke Arts Commission, effective June 20, 2018, was before the Council.

(See communication on file in the City Clerk's Office.)

Council Member Trinkle moved that the resignation be accepted and the communication be received and filed. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

EMERGENCY PROCUREMENT NOTIFICATION: A written communication from the City Manager with regard to an emergency procurement notification for debris removal for Mudlick Creek Culvert at Brandon Avenue, S. W., was before the body.

(See communication on file in the City Clerk's Office.)

Council Member Trinkle moved that the communication be received and filed. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

MINUTES OF THE AUDIT COMMITTEE: Minutes of the Audit Committee held on Wednesday, March 7, 2018, was before the body.

(See Minutes on file in the City Clerk's Office.)

Council Member Trinkle moved that the reading of the minutes be received and filed. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

OATHS OF OFFICE-CITY OF ROANOKE PENSION PLAN BOARD OF TRUSTEES-VIRGINIA WESTERN COMMUNITY COLLEGE LOCAL ADVISORY BOARD-ROANOKE PUBLIC LIBRARY-ROANOKE NEIGHBORHOOD ADVOCATES-ROANOKE VALLEY GREENWAY COMMISSION: Reports of qualification of the following individuals were before the Council:

Charles E. Hunter, III, as the Citizen At-Large representative of the City of Roanoke Pension Plan, Board of Trustees, for a four-year term of office ending June 30, 2022;

Joshua C. Johnson as a City representative of the Virginia Western Community College Local Advisory Board for a four-year term of office ending June 30, 2022;

Jeanne Bollendorf as a member of the Roanoke Public Library Board for a three-year term of office ending June 30, 2021;

Jamaal Jackson as a member of the Roanoke Neighborhood Advocates for a three-year term of office, commencing July 1, 2018 and ending June 30, 2021;

John R. Francis, Jr., as City representative of the Virginia Western Community College Local Advisory Board for a four-year term of office ending June 30, 2022;

Lieutenant Jeffrey Newman (Police) as the Public Safety representative of the City of Roanoke Pension Plan, Board of Trustees, for a two-year term of office ending June 30, 2020; and

James Revercomb, III, as a City representative of the Roanoke Valley Greenway Commission for a three-year term of office ending June 30, 2021.

(See Oaths or Affirmations of Office on file in the City Clerk's Office.)

Council Member Trinkle moved that the reports of qualification be received and filed. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

CITY-OWNED PROPERTY LOCATED AT 3137 PRESTON AVENUE, N. W.: A written communication from the City Manager requesting that Council convene in a Closed Meeting to discuss the disposition of a portion of City-owned property located at 3137 Preston Avenue, N. W., where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

(See communication on file in the City Clerk's Office.)

Council Member Trinkle moved that Council concur in the request of the City Manager as abovementioned. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

CITY-OWNED PROPERTY LOCATED AT 502 19TH STREET, S. E.: A written communication from the City Manager requesting that Council convene in a Closed Meeting to discuss the disposition of a portion of City-owned property located at 502 19th Street, S. E., where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

(See communication on file in the City Clerk's Office.)

Council Member Trinkle moved that Council concur in the request of the City Manager as abovementioned. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS: NONE.

REPORTS OF CITY OFFICERS AND COMMENTS OF CITY MANAGER:

BRIEFINGS:

Update on Major Capital Projects:

The City Manager gave an overview of the following capital projects:

E-911/811 Call Center

- Joint project with Virginia Utility Protection Service, using design/build process.
- Design and engineering underway and in process of being completed.
- Construction is targeted to begin in July.

Melrose Library:

- Renovation of existing space at Goodwill Jobs Campus.
- Construction is underway.
- Project completion anticipated in late spring 2019.

Fire Station 7

- Design and engineering underway for the initial option of building a replacement station and the concept/option of incorporating the existing building into the program and the project for the new station.
- Anticipate Council briefing on August 6th.

Colonial Avenue Improvements

- Construction is underway.
- Project includes improvements between Overland and Winding Way.
- Focus is to create a corridor which compliments Virginia Western Community College.
- Scope includes sidewalks and enhanced pedestrian crossings, bicycle lanes, roundabouts at Overland, McNeil, and Winding Way to improve vehicular traffic flow through the corridor, extensive landscaping, and stormdrain improvements.

Franklin Road Bridge Replacement

- Project is 70% complete.
- Structural steel girders are being set.
- On target for completion in January 2019.

Main Street/Wasena Bridge

- Previously discussed with City Council the replacement option and rehabilitation option.
- Contract has been negotiated for design and engineering services for replacement of the structure.
- Scope includes preliminary/concept design, evaluation of potential roadway/intersection improvements, and design to 50% plan completion, including coordinating bridge aesthetics, architectural elements, roadway design alignment, horizontal and vertical clearances with Norfolk Southern Railroad.
- Cost of \$2 million.
- Current total estimated cost of \$24 million
- Plan to apply for State funding (Smart Scale, Revenue Sharing, and possibly State of Good Repair) to reduce local share cost.

Following comprehensive dialogue regarding the Wasena Bridge project, being the lack of communication with the community regarding the Wasena Bridge project and State funding, Council Member Garland offered a motion to delay the execution of a contract for design and engineering services in order for the Council to have an opportunity to have further discussion of the restoration option and receive community comments. The motion died for lack of a second.

Without objection by the Council, the City Manager was instructed to proceed with the execution of the design and engineering services contract.

Stormwater Utility Progress Update:

Dwayne D'Ardenne, Stormwater Utility Manager, gave a Stormwater Utility progress report, highlighting the following items:

- Stormwater Utility
- 3-Year Utility Fee Phase In
- FY2017 Fee Revenue/Credits
- FY2017 Actual Expenditures
- What, Why, and How
- Drainage CIP Projects
- CIP Project Status
- Maintenance
- Maintenance and Operations
- Water Quality
- 1 + 13
- Sediment TMDL/PCB TMDL/Bacteria TMDL
- 1 + 11
- End Goal vs. Current Situation
- Trout Run Watershed
- FEMA A Zone
- 1985 Flood of Record
- 2016 Three 4% Storms
- 4% Chance Rain Event
- Hurricane Matthew – October 7 & 8, 2016
- 9% Tree Canopy & 66% Impervious
- Abstraction
- Attenuation
- Hydraulic
- Roanoke River Flood Reduction Project
- Floodplain Acquisitions

(See copy of presentation on file in the City Clerk's Office.)

Following questions and comments by the Council, the Mayor advised that the remarks would be received and filed.

ITEMS RECOMMENDED FOR ACTION:

ACCEPTANCE OF THE FY 2018 BYRNE/JUSTICE ASSISTANCE GRANT (JAG) — EQUIPMENT AND TECHNOLOGY GRANT: The City Manager submitted a written communication recommending acceptance of the FY 2018 Byrne/Justice Assistance Grant (JAG) — Equipment and Technology Grant from the Virginia Department of Criminal Justice Services.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Ferris offered the following resolution:

(#41157-061818) A RESOLUTION authorizing the acceptance of the Edward Byrne Memorial Justice Assistance Grant Program made to the City of Roanoke by the Virginia Department of Criminal Justice Services for Equipment and Technology, and authorizing execution of any required documentation on behalf of the City.

(For full text of resolution, see Resolution Book No. 79, page 631.)

Council Member Ferris moved the adoption of Resolution No. 41157-061818. The motion was seconded by Council Member Trinkle and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

Council Member Ferris offered the following budget ordinance:

(#41158-061818) AN ORDINANCE to appropriate funding from the Federal government, Department of Justice, for the Byrne Memorial Justice Assistance Grant (JAG) Program, amending and reordaining certain sections of the 2017 - 2018 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 79, page 632.)

Council Member Ferris moved the adoption of Budget Ordinance No. 41158-061818. The motion was seconded by Council Member Trinkle and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

ACCEPTANCE OF A CHILD ABUSE AND NEGLECT PREVENTION PROGRAM GRANT: The City Manager submitted a written communication recommending acceptance of a Child Abuse and Neglect Prevention Program Grant from the Virginia Department of Social Services.

(For full text, see communication on file in the City Clerk's Office.)

Vice-Mayor Price offered the following resolution:

(#41159-061818) A RESOLUTION authorizing the acceptance of the Child Abuse and Neglect Prevention Program Grant to the City of Roanoke ("City") by the Virginia Department of Social Services ("VDSS") in the amount of \$50,000.00; and authorizing the City Manager to execute any documentation required to accept the Grant on behalf of the City.

(For full text of resolution, see Resolution Book No. 79, page 633.)

Vice-Mayor Price moved the adoption of Resolution No. 41159-061818. The motion was seconded by Council Member Trinkle and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

Vice-Mayor Price offered the following budget ordinance:

(#41160-061818) AN ORDINANCE to appropriate funding from the Virginia Department of Social Services for the Child Abuse and Neglect Prevention Program Grant, amending and reordaining certain sections of the 2018 - 2019 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 79, page 634.)

Vice-Mayor Price moved the adoption of Budget Ordinance No. 41160-061818. The motion was seconded by Council Member Trinkle and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

ACCEPTANCE OF A DONATION FROM ROANOKE INTERNATIONAL MOUNTAIN BICYCLING ASSOCIATION: The City Manager submitted a written communication recommending acceptance of a donation from Roanoke International Mountain Bicycling Association.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Trinkle offered the following resolution:

(#41161-061818) A RESOLUTION authorizing acceptance of a donation of a pumptrack from the Roanoke International Mountain Bicycling Association to the City of Roanoke and authorizing execution of any and all necessary documents to accept the donation.

(For full text of resolution, see Resolution Book No. 79, page 635.)

Council Member Trinkle moved the adoption of Resolution No. 41161-061818. The motion was seconded by Council Member Dykstra.

Following comments by Council Members Garland and Dykstra regarding the pumptrack being purchased by a group of citizens and donated to the City, Resolution No. 41161-061818 was adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

ACCEPTANCE OF THE 2018 - 2019 COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIPS PROGRAM AND EMERGENCY SOLUTIONS GRANT ENTITLEMENT FUNDS: The City Manager submitted a written communication recommending acceptance of the 2018 - 2019 Community Development Block Grant, Home Investment Partnerships Program and Emergency Solutions Grant Entitlement funds from the Department of Housing and Urban Development.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Trinkle offered the following resolution:

(#41162-061818) A RESOLUTION authorizing acceptance of certain grants from the United States Department of Housing and Urban Development (HUD) for entitlement funding for the 2018 - 2019 fiscal year consisting of the Community Development Block Grant (CDBG), the HOME Investment Partnerships Program (HOME) Grant, and the Emergency Solutions Grant (ESG), such grants to be used in connection with the 2018 - 2019 HUD Action Plan previously approved by City Council; upon certain terms and conditions, and authorizing the execution of the necessary grant documents required to accept such funding.

(For full text of resolution, see Resolution Book No. 79, page 636.)

Council Member Trinkle moved the adoption of Resolution No. 41162-061818. The motion was seconded by Council Member Bestpitch.

Council Member Dykstra called attention to a previous Statement of Conflict which was read into the record on Monday, May 14 at a recess meeting of City Council, noting that her employer, Boys & Girls Clubs of Southwest Virginia, Inc., has an interest in a lease transaction with Restoration Housing, situated at 2750 Hoover Street, N. W., the former Villa Heights Recreation Center, and Restoration Housing having sought a grant from the City's programs funded through various programs administered through the United States Department of Housing and Urban Development (HUD) Plan, she will refrain from participating in the agenda item involving the HUD Plan and budget under consideration.

There being no additional comments and/or questions by the Council, Ordinance No. 41162-061818 was adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Garland, Price, Trinkle and Mayor Lea-6.

NAYS: None-0.

(Council Member Dykstra abstained from voting.)

Council Member Trinkle offered the following budget ordinance:

(#41163-061818) AN ORDINANCE to appropriate funding from the Department of Housing and Urban Development (HUD) for the Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program, and Emergency Solutions Grant (ESG), amending and reordaining certain sections of the 2018 - 2019 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 79, page 637.)

Council Member Trinkle moved the adoption of Budget Ordinance No. 41163-061818. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Garland, Price, Trinkle and Mayor Lea-6.

NAYS: None-0.

(Council Member Dykstra abstained from voting.)

APPROPRIATION OF RESIDUAL FUNDING FROM THE TECHNOLOGY AND FLEET FUNDS: The City Manager submitted a written communication recommending appropriation of residual funding from the technology and fleet funds.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Bestpitch offered the following budget ordinance:

(#41164-061818) AN ORDINANCE to appropriate funding from the Residual Technology and Fleet Funds for technology capital needs and Capital Project Contingency, amending and reordaining certain sections of the 2017 - 2018 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 79, page 640.)

Council Member Bestpitch moved the adoption of Budget Ordinance No. 41164-061818. The motion was seconded by Council Member Trinkle and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

APPROPRIATION OF RESIDUAL FUNDING FROM THE TECHNOLOGY AND FLEET FUNDS: The City Manager submitted a written communication recommending appropriation of funds in connection with the Fiscal Year 2018 revenue and expenditure budget adjustments.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Trinkle offered the following budget ordinance:

(#41165-061818) AN ORDINANCE to increase the transfers to Roanoke City Public Schools and Berglund Center, operating expenditures for Off-Duty Earnings (Police and Sheriff), community organizations, and Budget Contingency expenditures, and to increase revenue budget estimates for local taxes and other revenues, amending and reordaining certain sections of the 2017 - 2018 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 79, page 641.)

Council Member Trinkle moved the adoption of Budget Ordinance No. 41165-061818. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

ANNUAL FIREWORKS SHOW AT RIVER'S EDGE SPORTS COMPLEX: The City Manager submitted a written communication recommending execution of an agreement between the City of Roanoke and Carilion Property Management, Inc., in connection with the Annual Fireworks Show at River's Edge Sports Complex on Wednesday, July 4, 2018.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Ferris offered the following resolution:

(#41166-061818) A RESOLUTION authorizing execution of an Agreement with Carilion Property Management, Inc., in connection with the use of the Crystal Spring Garage, the Riverwalk Garage, and parking spaces on Evans Mill Road during the 2018 annual fireworks show.

(For full text of resolution, see Resolution Book No. 79, page 642.)

Council Member Trinkle advised of a personal conflict of interests due to his employer, Carilion Medical Center, is affiliated with Carilion Property Management, Inc. and read the following statement into record:

"STATEMENT OF CONFLICT OF INTEREST"

I, David B. Trinkle, state that I have a personal interest in Agenda Item 7.a.7 of the City Council Agenda for June 18, 2018, regarding the Execution of an agreement between the City and Carilion Property Management, Inc. for parking at facilities owned and operated by Carilion Property Management, Inc. for July 4, 2018, because my employer, Carilion Medical Center, is affiliated with Carilion Property Management, Inc. I have no role in this program and do not participate in any decision-making processes involving this matter on behalf of my employer.

Therefore, pursuant to Virginia Code Sections 2.2-3110 A. 4 and 2.2-3112 A. 1, I must refrain from participation in this matter. I ask that the City Clerk accept this statement and ask that it be made a part of the minutes of this meeting.

Witness the following signature made this 18th day of June, 2018.

S/David B. Trinkle
David B. Trinkle, Member of Council"

(See Statement of Conflict of Interest on file in the City Clerk's Office.)

Council Member Ferris moved the adoption of Resolution No. 41166-061818. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price and Mayor Lea-6.

NAYS: None-0.

(Council Member Trinkle abstained from voting.)

LEASE EXTENSION AGREEMENT WITH RICHARD E. AND CASSIE M. BEVERLY: The City Manager submitted a written communication recommending execution of a lease extension agreement with Richard E. and Cassie M. Beverly for property located at 2410 Mason Mill Road, N. E., until July 31, 2018.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Bestpitch offered the following ordinance:

(#41167-061818) AN ORDINANCE authorizing the City Manager to execute Lease Extension Agreement No. 1 to a Lease Agreement with the City of Roanoke, Virginia ("City") and Richard E. Beverly and Cassie M. Beverly ("Beverlys"), for the lease of an approximately 0.9917 acre parcel of City-owned property located at 2410 Mason Mill Road, N. E., Roanoke, Virginia, designated as Roanoke City Official Tax Map No. 7170509; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 79, page 643.)

Council Member Bestpitch moved the adoption of Ordinance No. 41167-061818. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

AUTHORIZATION OF AN ENCROACHMENT PERMIT FOR GREATER ROANOKE TRANSIT COMPANY: The City Manager submitted a written communication recommending authorization of an encroachment permit for Greater Roanoke Transit Company for a bus shelter located at the intersection of Patterson Avenue and 13th Street, S. W.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Bestpitch offered the following ordinance:

(#41168-061818) AN ORDINANCE allowing a bus shelter encroachment requested by the Greater Roanoke Transit Company d/b/a Valley Metro ("GRTC"), into the public right-of-way located at the southwest corner of Patterson Avenue, S. W. and 13th Street, S. W., Roanoke, Virginia, in front of a vacant parcel owned by the West End Center, Inc., designated as Official Tax Map No. 1213407, upon certain terms and conditions, and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 79, page 644.)

Council Member Bestpitch moved the adoption of Ordinance No. 41168-061818. The motion was seconded by Council Member Ferris.

Council Member Dykstra called attention to a personal conflict of interest regarding the encroachment permit for Greater Roanoke Transit Company inasmuch as she was President of Mountain View Neighborhood Association at the time the application for a grant had been made for funding for a bus shelter as abovementioned.

"STATEMENT OF CONFLICT OF INTEREST"

I, Michelle L. Dykstra, state that I have a personal interest in Agenda Item 7.a.9 of the City Council Agenda for June 18, 2018, regarding an encroachment permit for Greater Roanoke Transit Company (GRTC) within the right-of-way at Patterson Avenue and 13th Street, S. W., to construct and maintain a bus shelter, because, as President of the local neighborhood association, I made application for a grant that will provide funding for this bus shelter.

Therefore, pursuant to Virginia Code Sections 2.2-3110(A)(4) and 2.2-3112(A)(1), I must refrain from participation in this matter. I ask that the City Clerk accept this statement and ask that it be made a part of the minutes of this meeting.

Witness the following signature made this 18th day of June 2018.

S/Michelle L. Dykstra

Michelle L. Dykstra, Member of Council"

(See Statement of Conflict of Interest on file in the City Clerk's Office.)

Following comments by the Council Members regarding bus shelters in the City, Ordinance No. 41168-061818 was adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Garland, Price, Trinkle and Mayor Lea-6.

NAYS: None-0.

(Council Member Dykstra abstained from voting.)

AMENDMENT OF THE CITY CODE TO CORRECT A REFERENCE WITHIN CHAPTER 11.6: The City Manager submitted a written communication recommending amendment of the City Code to correct a reference within Chapter 11.6, Stormwater Management.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Trinkle offered the following ordinance:

(#41169-061818) AN ORDINANCE amending and reordaining Section 11.6-603, Enforcement, holds on certificates of occupancy, of Chapter 11.6, Stormwater Management, Code of the City of Roanoke (1979), as amended; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 79, page 646.)

Council Member Trinkle moved the adoption of Ordinance No. 41169-061818. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

COMMENTS OF THE CITY MANAGER.

The City Manager offered the following comments:

Star City Motor Madness

- On Friday and Saturday, June 22-23, Roanoke will see an influx of visitors from the region for Star City Motor Madness, honoring America's passion of the automobile and the love of cruising.
- Since 2002, this event has been held the last Friday and Saturday in June and draws people throughout the Mid-Atlantic and beyond. It is, in fact, one of the biggest automotive events in the Mid-Atlantic.
- Friday night is the "Cruise-In." From 6:00 p.m. to 10:00 p.m. spectators will line both sides of Williamson Road to see classic and special interest automobiles, trucks, and motorcycles cruise on Roanoke's historic "strip."
- Saturday is the Car and Truck Show in Downtown Roanoke from 10:00 a.m. to 4:00 p.m., followed by an "after party" at the Virginia Museum of Transportation.
- Proceeds from this event go to the Virginia Museum of Transportation, as well as other non-profit organizations.

Roanoke's Fireworks on the Fourth

- The city will host its annual fireworks display
- This is the area's biggest and best fireworks show!
- Wednesday, July 4
- River's Edge Sports Complex
- Food trucks, inflatables, and face painting
- Music performed by Winds of the Blue Ridge
- Activities begin at 7:00 p.m.
- Fireworks begin at 9:15 p.m.
- Citizens are invited to join us for this annual celebration of America's independence.

2018 Budweiser Summer Series

- Downtown Roanoke Inc. has announced its annual concert series in Elmwood Park, which will include three performers:
 - August 17 – The B-52s
 - September 7 – Gary Allan
 - September 22 – Young the Giant
- Tickets for all shows are on sale and can be purchased online at brownpapertickets.com, or by phone at 1-800-838-3006 (option 1).
- More information is available on the Downtown Roanoke Inc. website at www.downtownroanoke.org.

FY2018-2019 Adopted Budget Document is available and may be viewed on the City's Website.

REPORTS OF COMMITTEES:

EDUCATIONAL PROGRAMS: The Roanoke City School Board submitted a written report requesting appropriation of funds for various educational programs; and the City Manager submitted a written report recommending that Council concur in the request.

(For full text, see reports on file in the City Clerk's Office.)

Council Member Trinkle offered the following budget ordinance:

(#41170-061818) AN ORDINANCE to appropriate funding from the Commonwealth and Federal grants for various educational programs, amending and reordaining certain sections of the 2017 - 2018 School Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 79, page 647.)

Council Member Trinkle moved the adoption of Budget Ordinance No. 41170-061818. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

MEMORIALIZING THE LATE DR. CHARLES W. STEGER: Council Member Trinkle offered the following resolution memorializing the late Dr. Charles W. Steger, former President, Virginia Polytechnic University:

(#41171-061818) A RESOLUTION memorializing the late Charles W. Steger, Jr., President Emeritus of Virginia Polytechnic Institute and State University.

(For full text of resolution, see Resolution Book No. 79, page 648.)

Council Member Trinkle moved the adoption of Resolution No. 41171-061818. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

ROANOKE HOPE INITIATIVE MEETING: Announcement of a Roanoke Valley Hope Initiative to be held on Thursday, June 21 at 3:00 p.m., at the Bradley Free Clinic, to address substance abuse disorders, including the opioid epidemic as well as a substance of cocaine and methamphetamine use. All interested parties and those who provide such services were encouraged to be in attendance.

SECOND ANNUAL NCAA FOOTBALL CLINIC: Announcement of the Second Annual NCAA Football Clinic to be held on Wednesday, July 18 at the Salem Football Stadium from 6:00 p.m. – 8:00 p.m. Free admission. Limit to first 200 participants. Transportation provided. Youth ages 7 – 13. Contact Mayor Lea for additional information.

VACANCIES ON CERTAIN AUTHORITIES, BOARDS, COMMISSIONS AND COMMITTEES APPOINTED BY COUNCIL: NONE.

At 5:32 p.m., the Mayor declared the Council Meeting in recess until 7:00 p. m.

At 7:00 p.m., the Council meeting reconvened in the Council Chamber, Room 450, fourth floor, Noel C. Taylor Municipal Building, with Mayor Sherman P. Lea, Sr., presiding.

PRESENT: Council Members William D. Bestpitch, Michelle L. Dykstra, Raphael E. Ferris, John A. Garland, Anita J. Price, David B. Trinkle and Mayor Sherman P. Lea, Sr.-7.

ABSENT: None-0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Robert S. Cowell, Jr., City Manager; Daniel J. Callaghan, City Attorney; and Stephanie M. Moon Reynolds, City Clerk.

The Invocation was delivered by Minister James L. Jordan, Sr., Associate Minister, First Baptist Church Hollins.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Lea.

CERTIFICATION OF CLOSED MEETING: With respect to the Closed Meeting just concluded, Council Member Ferris moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Council Member Trinkle and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

PUBLIC HEARINGS:

AMENDMENT TO THE STORMWATER UTILITY CODE: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, June 18, 2018 at 7:00 p.m., or as soon thereafter as the matter may be heard, to consider a proposed ordinance amending Section 11.5-7, Stormwater utility fee credits, and Section 11.5-10, Definitions, of Chapter 11.5, Stormwater Utility, of the Code of the City of Roanoke (1979), as amended, to establish the process under which the City would provide credits against the stormwater fee for property owners who maintain on-site stormwater management facilities and add a definition for "Best management practice", the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, June 4, 2018 and Monday, June 11, 2018.

(See publisher's affidavit on file in the City Clerk's Office.)

The City Manager submitted a written report recommending adoption of amendments to the City's Stormwater Utility Code, with an effective date of July 1, 2018.

(For full text, see report on file in the City Clerk's Office.)

Council Member Trinkle offered the following ordinance:

(#41172-061818) AN ORDINANCE amending and reordaining Section 11.5-7. Stormwater utility fee credits, and Section 11.5-10. Definitions, of Chapter 11.5, Stormwater Utility, of the Code of the City of Roanoke (1979), as amended; providing for an effective date; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 79, page 650.)

Council Member Trinkle moved the adoption of Ordinance No. 41172-061818. The motion was seconded by Council Member Ferris.

The Mayor inquired if there were persons present who wished to speak on the matter. There being none, he declared the public hearing closed.

There being no questions and/or comments by the Council Members, Ordinance No. 41172-061818 was adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

AMEND CHAPTER 36.2, ZONING, CODE OF THE CITY OF ROANOKE, (1979), AS AMENDED: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, June 18, 2018, at 7:00 p.m., or as soon thereafter as the matter may be heard, to consider proposed amendments to Chapter 36.2, Zoning, of the Code of the City of Roanoke (1979), as amended, by amending and reordaining, adding or deleting the following code sections to update, clarify and make the City's zoning ordinance easier to use for its citizens, and to make the City's zoning ordinance consistent with state code, such amendments not constituting a comprehensive rezoning or change of any densities that would decrease permitted density in any district, unless otherwise noted, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, May 29, 2018, and Tuesday, June 5, 2018.

(See publisher's affidavit on file in the City Clerk's Office.)

The City Planning Commission submitted a written report recommending approval as the proposed amendments to the Zoning Ordinance.

(For full text, see report on file in the City Clerk's Office.)

Council Member Ferris offered the following ordinance:

(#41173-061818) AN ORDINANCE amending and reordaining Section 36.2-205, Dimensional regulations; Section 36.2-311, Use table for residential districts; Section 36.2-315, Use table for multiple purpose districts; Section 36.2-316, Dimensional regulations for multiple purpose districts; Section 36.2-322, Use table for industrial districts; Section 36.2-327, Use table for planned unit development districts; Section 36.2-333, Floodplain Overlay District (F); Section 36.2-402, Accessory apartments; Section 36.2-405, Bed and breakfast and homestay establishments; Section 36.2-411, Gasoline stations; Section 36.2-423, Outdoor storage; Section 36.2-424, Parking of motor vehicles in residential districts; Section 36.2-432, Wireless telecommunications facilities and broadcasting towers; Section 36.2-433, Workshops; Section 36.2-552, Basic development plans; Section 36.2-622, Exempt lighting; Section 36.2-623, Definitions; Section 36.2-642, General landscaping and screening standards; Section 36.2-647, Buffering and screening; Section 36.2-661, Applicability; Section 36.2-662, Definitions; Section 36.2-663, Prohibited signs; Section 36.2-667, Calculation of sign area and number of on-premises signs; Section 36.2-669, Changeable copy signs and electronic readerboard signs; and Appendix A, Definitions; of Chapter 36.2, Zoning, of the Code of the City of Roanoke (1979), as amended, for the purposes of amending and reordaining the following code sections to update, clarify and make the City's zoning ordinance easier to use for its citizens and consistent with state law; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 79, page 658.)

Council Member Ferris moved the adoption of Ordinance No. 41173-061818. The motion was seconded by Council Member Bestpitch.

Chris Chittum, Director, Planning, Building and Development, advised that there were no additional changes to the Zoning Ordinance since the June 4 City Council briefing.

The Mayor inquired if there were persons present who wished to speak on the matter. There being none, he declared the public hearing closed.

Council Member Dykstra inquired about the proposed changes with regard to feather signs, the bed and breakfast requirement and clarification of the terminology for homestays versus bed and breakfast establishments; whereupon, Mr. Chittum advised that signs that blow in the wind would be prohibited, but temporary signs could move. He further advised that in terms of a bed and breakfast establishment the code would be a little more permissive in the Mixed-Use and Commercial Neighborhood Districts.

Ms. Dykstra further inquired about the change in the size requirement with regard to workshops in the downtown area.

Mr. Chittum replied that it was initiated by inquiries from downtown businesses and the desire to expand for the technical assembly of aeronautics and robotic prosthetics, but also stay in the downtown area.

Following additional comments by Council Member Dykstra as to the City being proactive and attempting to accommodate different types of businesses as they grow, Ordinance No. 41173-061818 was adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

AMEND THE FEE COMPENDIUM: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, June 18, 2018, at 7:00 p.m., or as soon thereafter as the matter may be heard, to consider proposed amendments to the Fee Compendium, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, May 29, 2018, and Tuesday, June 5, 2018.

(See publisher's affidavit on file in the City Clerk's Office.)

The City Planning Commission submitted a written report recommending approval as the proposed amendments to the Fee Compendium.

(For full text, see report on file in the City Clerk's Office.)

Council Member Trinkle offered the following ordinance:

(#41174-061818) AN ORDINANCE establishing the fees for application review of wireless telecommunications facilities pursuant to Section 36.2-432, Wireless telecommunications facilities and broadcasting towers, of Chapter 36.2, Zoning, of the Code of the City of Roanoke (1979), as amended; providing for an effective date; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 79, page 718.)

Council Member Trinkle moved the adoption of Ordinance No. 41174-061818. The motion was seconded by Council Member Ferris.

The Mayor inquired if there were persons present who wished to speak on the matter. There being none, he declared the public hearing closed.

There being no questions and/or comments by the Council Members, Ordinance No. 41174-061818 was adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

Council Member Trinkle offered the following resolution:

(#41175-061818) A RESOLUTION directing amendment of the Fee Compendium; and establishing an effective date.

(For full text of resolution, see Resolution Book No. 79, page 719.)

Council Member Trinkle moved the adoption of Resolution No. 41175-061818. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

CONTRACT FOR PURCHASE AND SALE OF REAL PROPERTY BETWEEN THE CITY OF ROANOKE, VIRGINIA AND OLD SCHOOL PARTNERS II, LLC: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, June 18, 2018 at 7:00 p.m., or as soon thereafter as the matter may be heard, on a proposed Contract for Purchase and Sale of Real Property between the City of Roanoke, Virginia, and Old School Partners II, LLC, a Virginia limited liability

company, wherein the City proposes to sell to Buyer a portion of certain real property known as Historic Fire Station One, located at 13 Church Avenue, S. E., consisting of approximately 0.2307 acres of City-owned property, together with the Fire Station One building situated thereon the Premises being designated as Official Tax Map No. 4011706, but excluding from the Premises approximately 0.027 acres, more or less on which the City's trash compactor is presently situated, and the trash compactor situated thereon, for the sum of \$100.00, together with other consideration and performance of other obligations by Buyer, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, June 11, 2018.

(See publisher's affidavit on file in the City Clerk's Office.)

The City Manager submitted a written report recommending execution of a Contract for Purchase and Sale of Real Property between the City of Roanoke and Old School Partners II, LLC, subject to approval as to form by the City Attorney.

(For full text, see report on file in the City Clerk's Office.)

Council Member Bestpitch offered the following ordinance:

(#41176-061818) AN ORDINANCE authorizing the proper City officials to execute a Contract for Purchase and Sale of Real Property ("Contract") between the City of Roanoke, Virginia ("City"), and Old School Partners II, LLC ("Buyer"), to sell to Buyer a portion of approximately 0.2307 acres of a City-owned property, together with the Building situated thereon, known as Historic Fire Station One, located at 13 Church Avenue, S. E., Roanoke, Virginia, designated as Official Tax Map No. 4011706, but excluding approximately 0.027 acres, more or less on which the City's trash compactor is presently situated, and the trash compactor situated thereon, upon certain terms and conditions; authorizing the City Manager to execute such further documents and take such further actions as may be necessary to accomplish the above matters; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 79, page 720.)

Council Member Bestpitch moved the adoption of Ordinance No. 41176-061818. The motion was seconded by Council Member Ferris.

R. Brian Townsend, Assistant City Manager for Community Development, gave background information regarding the sale of the structure and its historical importance, noting that the performance contract is in exchange for the sale of property for nominal consideration and the contract purchaser will have a number of obligations to perform, including types of uses that would be initiated inside the property upon completion of the project.

Mr. Townsend stated that the purchaser intended to renovate the building to include a combination of retail, light manufacturing, hospitality, and certain types of live entertainment; and as part of the contraction obligations, the purchaser has agreed to invest \$2 million, including building construction and the like in the renovation of the building. He further stated that the performance guarantee of \$250,000.00 would be placed on the project to insure compliance and performance by the purchaser during the renovation of the building; and the purchaser could make no substantive changes to the mix of uses for approximately five years after completion without City's consent.

In conclusion, the Assistant City Manager for Community Development pointed out that a placement of a Historic Preservation Easement by the purchaser of the property would run in perpetuity on the project, with first priority over properties in the future.

Following additional comments from the City Attorney, Mr. Townsend interjected that the contract strikes a balance between protection of the City financially, protection of the building architecturally, and it gives the Developer flexibility to make a viable project.

Mayor Lea inquired if there were additional persons present who wished to speak on the matter; whereupon, the following individuals appeared before the Council:

David Parr, Esquire, 4881 Horseman Drive, N.E., appeared in support of the sale of the Historic Fire Station One property and commended Council for consideration of this Easement.

Douglas Forbes, 412 South Poplar Street, Apartment 300, Vinton, appeared in support of the sale of the Historic Fire Station One and reminisced about his Fire Station adventures as a little boy, and commended the Council for saving this particular part of the City's history.

There being no additional speakers, Mayor Lea declared the public hearing closed.

There being no further questions and/or comments by the Council Members, Ordinance No. 41176-061818 was adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

MULTI-FAMILY AFFORDABLE HOUSING DEVELOPMENT BY AHF-AFTON GARDENS, LLC: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, June 18, 2018 at 7:00 p.m., or as soon thereafter as the matter may be heard, on the proposal of the City of Roanoke to authorize issuance by the Public Finance Authority, of its Multifamily Housing Revenue Bonds in connection with a multi-family affordable housing development by AHF-Afton Gardens, LLC., the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, June 4, 2018.

(See publisher's affidavit on file in the City Clerk's Office.)

The City Manager submitted a written report recommending that approval of the issuance of the Bonds by the Public Finance Authority for the purpose of financing the a multi-family affordable housing development Project by AHF-Afton Gardens, LLC, in order to satisfy requirements of the Authority and the Federal Tax Requirements and repeal, revoke, and rescind Resolution No. 41109-050718 in its entirety.

(For full text, see report on file in the City Clerk's Office.)

Council Member Trinkle offered the following resolution:

(#41177-061818) A RESOLUTION approving, solely for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), and as required by Section 66.0304(11)(a) of the Wisconsin Statutes and Section 4 of the Amended and Restated Joint Exercise Power Agreement Relating to the Public Finance Authority ("Authority") dated as of September 28, 2010 (collectively, "Authority Requirements"), the issuance by the Public Finance Authority of its Multifamily Housing Revenue Bonds in one or more series (the "Bonds"), a portion of which Bonds in a principal amount not to exceed \$1,346,000.00 shall be issued for the purpose of financing the costs of the acquisition by AHF-Afton Gardens, LLC of a multi-family affordable housing development located in the City of Roanoke (the "City") known as Afton Gardens Apartments; and repealing Resolution No. 41109-050718.

(For full text of resolution, see Resolution Book No. 79, page 722.)

Council Member Trinkle moved the adoption of Resolution No. 41177-061818. The motion was seconded by Council Member Ferris.

The Mayor inquired if there were persons present who wished to speak on the matter. There being none, he declared the public hearing closed.

There being no questions and/or comments by the Council Members, Ordinance No. 41177-061818 was adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

AMENDMENT AND RESTATEMENT OF THE CONTRACT FOR PURCHASE AND SALE OF REAL PROPERTY BETWEEN THE CITY OF ROANOKE AND DESCHUTES BREWERY, INC: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, June 18, 2018 at 7:00 p.m., or as soon thereafter as the matter may be heard, on a proposed First Amended and Restated Contract for Purchase and Sale of Real Property between the City of Roanoke, Virginia, and Deschutes Brewery, Inc., an Oregon corporation qualified to transact business in the Commonwealth of Virginia, and its subsidiaries or affiliates that may be created to own and/or operate the Facility, wherein the City proposes to amend and restate certain terms of the Original Contract to amend the description of the parcel described in the Original Contract to exclude portions of the parcel dedicated to public right of way, include certain acquired Adjacent Parcels into the Amended Contract as a part of the Property to be sold to Buyer, increase the Purchase Price, and make adjustments to the Buyer's timeline for performance, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, June 11, 2018.

(See publisher's affidavit on file in the City Clerk's Office.)

The City Manager submitted a written report recommending execution of an Amended Contract between Deschutes Brewery, Inc. and the City of Roanoke, subject to approval as to form by the City Attorney.

(For full text, see report on file in the City Clerk's Office.)

Council Member Trinkle offered the following ordinance:

(#41178-061818) AN ORDINANCE authorizing the City Manager to execute a First Amended and Restated Contract for Purchase and Sale of Real Property, (the "Amended Contract") between the City of Roanoke, Virginia (the "City"), and Deschutes Brewery, Inc., an Oregon corporation qualified to transact business in the Commonwealth of Virginia (the "Parent"), and its subsidiaries or affiliates that may be created to own and/or operate the Facility described below (together, such subsidiaries and affiliates are "Subsidiaries" and the Parent and the Subsidiaries together, jointly and severally, are the "Buyer"), to sell to Buyer certain real property more particularly described as (i) the real property located at 2002 Blue Hills Drive, N .E., Roanoke,

Virginia 24012, designated as Official Tax Map No. 7230101, and containing approximately 48.2592 acres, together with all improvements thereon; (ii) the real property located at 2410 Mason Mill Road, N. E., Roanoke, Virginia 24012, designated as Official Tax Map No. 7170509, and containing approximately 0.9917 acres, together with all improvements thereon; (iii) the real property located at 2402 Mason Mill Road, N. E., Roanoke, Virginia 24012, designated as Official Tax Map No. 7170505, and containing approximately 1.0616 acres, together with all improvements thereon; and (iv) the real property located at 2320 Mason Mill Road, N. E., Roanoke, Virginia 24012, designated as Official Tax Map No. 7170504, and containing approximately 1.2395 acres, together with all improvements thereon (collectively, the "Property"), for the construction and operation of a brewery and warehouse facility (the "Facility"), and to amend certain terms of the Original Contract to (i) amend the description of the parcel described in the Original Contract to exclude portions of the parcel dedicated to public right of way ("Amended Original Parcel"); (ii) include certain acquired Adjacent Parcels into the Amended Contract as part of the Property to be sold to Buyer, (iii) increase the Purchase Price, and (iv) make adjustments to Buyer's timeline for performance; authorizing the City Manager to execute such further documents and take such further actions as may be necessary to accomplish the above matters; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 79, page 724.)

Council Member Trinkle moved the adoption of Ordinance No. 41178-061818. The motion was seconded by Council Member Ferris.

Following clarification by the City Manager that the abovementioned debt was not tied to the City and that additional financing had been secured, the Mayor inquired if there were persons present who wished to speak on the matter. There being none, he declared the public hearing closed.

There being no questions and/or comments by the Council Members, Ordinance No. 41178-061818 was adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

NAYS: None-0.

HEARING OF CITIZENS UPON PUBLIC MATTERS: NONE.

NEW BUSINESS:

CONSTRUCT A TELECOMMUNICATION FACILITY OR CELL TOWER ON A PORTION OF CITY-OWNED PROPERTY SITUATED AT 3137 PRESTON AVENUE, N.W: Council Member Bestpitch offered a motion that City Council authorize the City Manager to provide authorization to any telecommunication facility or cell tower company to file the appropriate applications under the City's Zoning Ordinance to seek a special exception to construct a telecommunication facility or cell tower on a portion of City-owned property situated at 3137 Preston Avenue, N.W., Roanoke, Virginia, bearing Official Tax Map No. 2100601, such portion as being designated by the City Manager, such authorization to be in a form approved by the City Attorney, with the express understanding that such authorization, application, and action by the Board of Zoning Appeals are without prejudice or impact on any subsequent action by City Council in considering a lease and/or franchise for the construction and operation of a telecommunications facility or cell tower on such portion of City-owned property. The motion was seconded by Council Member Trinkle and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle, and Mayor Lea-7.

NAYS: None-0.

CONSTRUCT A TELECOMMUNICATION FACILITY OR CELL TOWER ON A PORTION OF CITY-OWNED PROPERTY SITUATED AT 502 19TH STREET, S. E.: Council Member Ferris offered a motion that City Council authorize the City Manager to provide authorization to any telecommunication facility or cell tower company to file the appropriate applications under the City's Zoning Ordinance to seek a special exception to construct a telecommunication facility or cell tower on a portion of City-owned property situated at 502 19th Street, S. E., Roanoke, Virginia, bearing Official Tax Map No. 4310101, such portion as being designated by the City Manager, such authorization to be in a form approved by the City Attorney, with the express understanding that such authorization, application, and action by the Board of Zoning Appeals are without prejudice or impact on any subsequent action by City Council in considering a lease and/or franchise for the construction and operation of a telecommunications facility or cell tower on such portion of City-owned property. The motion was seconded by Council Member Trinkle and adopted by the following vote:

AYES: Council Members Bestpitch, Dykstra, Ferris, Garland, Price, Trinkle and Mayor Lea-7.

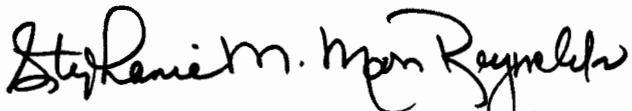
NAYS: None-0.

422


There being no further business, Mayor Lea declared the regular meeting adjourned at 8:05 p.m.

APPROVED

ATTEST:



Stephanie M. Moon Reynolds, MMC
City Clerk



Sherman P. Lea, Sr.
Mayor
